

AMENDED IN ASSEMBLY APRIL 3, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2963**

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**Introduced by Assembly Member ~~Furutani~~ Gaines**

February 22, 2008

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~~An act to amend Section 39602 of the Health and Safety Code, relating to air pollution. An act to repeal Section 1963.8 of the Streets and Highways Code, relating to neighborhood electric vehicles.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2963, as amended, ~~Furutani~~ Gaines. ~~State Air Resources Board: state implementation plan. Neighborhood electric vehicles.~~

Existing law authorizes, until January 1, 2009, the Cities of Lincoln and Rocklin in Placer County to establish a neighborhood electric vehicle (NEV) transportation plan that enables these low-speed vehicles to travel, among other things, on or along various roadways. A person operating a NEV in the plan area in violation of permit and safety rules adopted as part of the plan is guilty of an infraction. If a NEV transportation plan is implemented, the cities are required to submit a report to the Legislature by January 1, 2008, evaluating the effectiveness of the NEV plan and containing a recommendation for either terminating, continuing, or expanding these provisions.

This bill would repeal the January 1, 2009, termination date applicable to these NEV provisions, thereby extending these provisions indefinitely. Because the bill would change the definition of a crime in that regard, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state.

*Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that no reimbursement is required by this act for a specified reason.*

~~Existing law designates the State Air Resources Board as the state agency responsible for the preparation of the state implementation plan required by the federal Clean Air Act.~~

~~This bill would make technical, nonsubstantive changes to this provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: ~~no~~-yes.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Section 1963.8 of the Streets and Highways Code*  
2     *is repealed.*

3     ~~1963.8. This chapter shall remain in effect only until January~~  
4     ~~1, 2009, and as of that date is repealed, unless a later enacted~~  
5     ~~statute, that is enacted before January 1, 2009, deletes or extends~~  
6     ~~that date.~~

7     *SEC. 2. No reimbursement is required by this act pursuant to*  
8     *Section 6 of Article XIII B of the California Constitution because*  
9     *the only costs that may be incurred by a local agency or school*  
10    *district will be incurred because this act creates a new crime or*  
11    *infraction, eliminates a crime or infraction, or changes the penalty*  
12    *for a crime or infraction, within the meaning of Section 17556 of*  
13    *the Government Code, or changes the definition of a crime within*  
14    *the meaning of Section 6 of Article XIII B of the California*  
15    *Constitution.*

16    ~~SECTION 1. Section 39602 of the Health and Safety Code is~~  
17    ~~amended to read:~~

18    ~~39602. (a) The state board is designated the air pollution~~  
19    ~~control agency for all purposes set forth in federal law.~~

20    ~~(b) The state board is designated the state agency responsible~~  
21    ~~for the preparation of the state implementation plan required by~~  
22    ~~the federal Clean Air Act (42 U.S.C., Sec. 7401, et seq.) and, to~~  
23    ~~this end, shall coordinate the activities of all districts necessary to~~  
24    ~~comply with that act.~~

1     ~~(e) Notwithstanding any other provision of this division, the~~  
2     ~~state implementation plan shall only include those provisions~~  
3     ~~necessary to meet the requirements of the Clean Air Act.~~

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